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6 Attorneys for Defendant
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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN JOSE DIVISION

11 UNITED STATES OF AMERICA,
12 Plaintiff,
13 v.
14 Luis Torres-Verduzco,
15 Defendant.

Case No. CR-10-00624-DLJ

**STIPULATION AND ORDER FOR A
CONTINUANCE AND EXCLUDING
TIME FROM JANUARY 25, 2011
THROUGH FEBRUARY 1, 2011
FROM THE SPEEDY TRIAL ACT
CALCULATION**

16 IT IS HEREBY STIPULATED between the parties that, subject to the Court's approval, the
17 status conference scheduled for January 25, 2011 at 9:00 am shall be continued to February 1, 2011
18 at 9:00 am. The basis for the continuance is that prior to being appointed to represent the defendant
19 in this matter, counsel for the defendant had scheduled an administrative hearing on January 24-25,
20 2011 in Cleveland, Ohio. Furthermore, it is hereby stipulated between the parties that the time
21 between January 25, 2011 and February 1, 2011 is excluded under the Speedy Trial Act, 18.U.S.C. §
22 3161.
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24 It is so stipulated.
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1 Dated: January 21, 2011

Respectfully submitted,

2 BAKER & McKENZIE LLP

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4 By: /s/ Scott H. Frewing

5 Scott H. Frewing
6 Attorneys for Luis Torres-Verduzco

7 Dated: January 21, 2011

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9 By: /s/ Bradley D. Price

10 Bradley D. Price
11 Special Assistant U.S. Attorney

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13 **ORDER**

14 IT IS HEREBY ORDERED that the status hearing, currently scheduled for Tuesday, January
15 25, 2010 at 9:00 a.m. shall be vacated, and the new hearing date shall be February 1, 2010 at 9:00
16 a.m.

17 The Court also hereby ORDERS that the time between January 25, 2011 and February 1,
18 2011 is excluded under the Speedy Trial Act, 18 U.S.C. §3161. The court finds that the failure to
19 grant the requested continuance would unreasonably deny the defendant continuity of counsel and
20 defense counsel reasonable time necessary for effective preparation, taking into account the exercise
21 of due diligence. Furthermore, the Court finds that the ends of justice served by granting the
22 requested continuance outweigh the best interest of the public and the defendant in a speedy trial and

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1 in the prompt disposition of criminal cases. The court therefore concludes that this exclusion of time
2 should be made under 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv).

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4 **IT IS SO ORDERED.**

5 Dated: January 25, 2011

6 By: _____
D. LOWELL JENSEN
7 UNITED STATES DISTRICT JUDGE
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